

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

ELWOOD H. JONES, JR.,

Petitioner,

-vs-

MARGARET BAGLEY, Warden,

Respondent.

:

Case No. 1:01-cv-564

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District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

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**ORDER FOR STATUS UPDATE**

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This capital habeas corpus case came before the Court upon notice from the Hamilton County Prosecutor's Office that Judge Ethna Cooper, the Hamilton County Common Pleas Judge to whom Petitioner's case (B-9508578) is now assigned, had issued an Order and Entry Granting in Part Petitioner's Application for Post-Conviction DNA Testing. Paragraph 3 of that Order required that "the pendant identified at trial as belonging to the victim (marked State's Exhibit 3 at trial)" along with other evidence be delivered by the Hamilton County Prosecutor's Office to Dr. Elizabeth Benzinger at the Ohio Bureau of Criminal Investigations for the requisite testing.

For the purposes of this forensic testing, physical possession of the pendant was turned over by the Clerk of this Court to Mr. Howard Hudson of the Hamilton County Prosecutors Office on February 23, 2012. (Order Regarding Custody, Doc. No. 183); (Receipt for Custody, Doc. No. 184.)

The Court orders that the parties forthwith advise this Court of the current status of the forensic testing and of the post-conviction proceedings.

January 31, 2013.

s/ *Michael R. Merz*  
United States Magistrate Judge